



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Col. W.S. Flaherty, Superintendent
Virginia State Police

FROM: Matthew A. Conrad
Assistant Attorney General

DATE: December 18, 2007

SUBJECT: 19 VAC 30-20-115; Marking of Commercial Motor Vehicles - § 390.21.

In response to a request from the Department of State Police, I have reviewed the proposed technical amendment to the regulations to be set forth in 19 VAC 30-20-115, relating to the marking of Commercial Motor Vehicles as that term is defined in 49 C.F.R. Part 390.5. Upon review of the aforesaid amendment, I find it to be constitutional, consistent with the statutory authority conferred by § 52-8.4 of the Code of Virginia, and in conformity with existing statutory provisions. This change to the regulations is exempted from the Administrative Process Act, pursuant to § 2.2-4006(A)(4)(c), in order to meet the requirements of federal law or regulations.

Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.